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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/692,561

10/18/2000

Laurence B. Boucher

ALA-002A

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7590

07/24/2009

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SUITE 245

PLEASANTON, CA 94566

EXAMINER

MEKY, MOUSTAFA M

ART UNIT

PAPER NUMBER

2457

MAIL DATE

DELIVERY MODE

07/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 2457

1. The response to the restriction requirement filed on 5/01/2009 has been entered and considered by the examiner.
2. At the time, the examiner started to examine the pending application after receiving the response, the examiner realized that claims 55-59 should depend on claim 54 (not claim 50) that was withdrawn from consideration, Therefore, the applicant is also advised to withdraw claims 55-59 from consideration.
3. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 28-53, drawn to PATHFINDING OR ROUTING, classified in class 370, subclass 351.
 - II. Claims 54-59, drawn to Computer-to-computer session/connection establishing, classified in class 709, subclass 227.

The inventions are distinct, each from the other because of the following reasons:

- A. Inventions I & II are related as mutually exclusive species in an intermediate-final product relationship. Distinctness is proven for claims in this relationship if the intermediate product is useful to make other than the final product (MPEP. 806.04(b), 3rd paragraph), and the species are patentably distinct (MPEP. 806.04(h)). Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions anticipated by the prior art, the evidence or admission

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may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

B. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

C. Because these inventions are distinct for the reasons given above and the search required for each Group is different, restriction for examination purposes as indicated is proper.

D. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M. Meky whose telephone number is 571-272- 4005. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Moustafa M Meky/

Primary Examiner, Art Unit 2457

7/18/2009